IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18586 of 2004

Between:

P. Annaiah, S/o P. Mallaiah,
R/o 69,Kola Street, Tirupati, Chittoor District.

..... PETITIONER

AND

1 The Tirumala Tirupati Devasthanams, rep. by its Executive Officer, Tirupati.
2 College Development & Planning Committee, Rep. by its President, S.V. Arts College, Tirumala Tirupati Devasthanams, Tirupati.
3 Devasthanams Educational Officer, Tirumala Tirupati Devasthanams, Tirupati.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, writ or direction more particularly a Writ of Mandamus Under Article 226 of the Constitution of India, declaring the action of the respondents in not implementing the orders passed by the Director of Collegiate Education in his proceedings RC.No. 449/Ser.II-1/2004 dated 11-9-2004 and reengaging the petitioner in the existing vacancy of Zoology Lecturer in SV Arts College, Tirumala Tirupati Devasthanams, Tirupati as illegal, arbitrary, unjust and without jurisdiction and consequently direct the respondents to engage the services of the petitioner as Lecturer in Zoology in the existing vacancy in SV Arts College, Tirumala Tirupati Devasthanams, Tirupati.

Counsel for the Petitioner: MR.P.SRIDHAR REDDY

Counsel for the Respondents: MR.A.RAMALINGESWAR RAO

The Court, at the stage of admission, made the following :

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ORAL ORDER

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The petitioner contends that he is an M.Sc Zoology 1st Class Postgraduate. He was appointed as a contract lecturer in the 2nd respondent-College through the proceedings dated 20-12-2003 as lecturer in Zoology till regular appointment is made by the 1st respondent. The petitioner reported to duty on 22-12-2003 and worked as such till 28-02-2004. His services were discontinued with effect from 01-03-2004. The petitioner contends that as per the proceedings of the Director of College Education, Government of Andhra Pradesh in RC.No.449/Ser.II-1/2004, dated 11-09-2004, issued in pursuance of the Government memo dated 03-09-2004, the contract lecturers who worked during the previous academic year shall be continued for the academic year 2004-2005 on contract basis. The petitioner submits that he made a representation to the respondent Nos.1 and 3 on 17-09-2004 requesting to provide him an opportunity as a contract lecturer for the academic year 2004-2005 in terms of the proceedings of the Director of College Education dated 11-09-2004 and the same is pending. The grievance of the petitioner is that the respondent Nos.2 and 3 are taking steps to appoint fresh candidates in the existing vacancies and if that is allowed, the petitioner would suffer irreparable loss and hardship. Therefore, he approached this Court through this Writ petition seeking to declare that the action of the respondents in not implementing the orders of the Director of College Education dated 11-09-2004 by way of reengaging the petitioner in the existing vacancy of Zoology lecturer in the 2nd respondent College as illegal and arbitrary and to direct the respondents to take the services of the petitioner as a Zoology lecturer on contract basis.

The respondents are contending that the instructions given by the Director of College Education are not applicable to the 1st respondent-institution and they are taking steps for appointment of the lecturers as per the rules applicable to the respondents. Therefore, the petitioner cannot claim reappointment as a matter of right. The petitioner is contending that he made an application to the respondent Nos.1 and 3 for reappointment as a contract lecturer in the zoology for the academic year 2004-2005 and it is pending with the respondent Nos.1 and 3.

Having regard to the above circumstances, the 1st respondent is directed to consider

the application of the petitioner and pass appropriate orders regarding his request for reappointment as contract lecturer in Zoology for the academic year 2004-2005 within three (3) weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

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Dr.G.YETHIRAJULU,J

17th NOVEMBER 2004

*TSNR

TO

1. The Executive Officer, Tirumala Tirupati Devasthanams,Tirupati.
2. The President, S.V.Arts CollegeCollege Development and Planning Committee, TTD.Tirupati.
3. The Devasthanams Educational Officer, Tirumala Tirupati Devasthanams, Tirupati.
4. Two C.D.Copies